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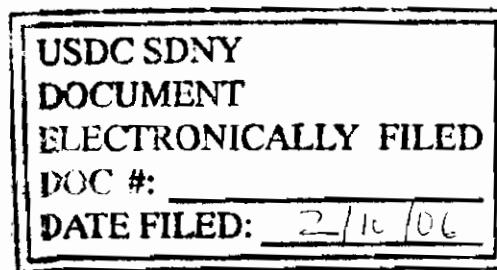
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February 9, 2006



Our Ref: 447-05/PJG/

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Via Telefax - 212-805-6382  
Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
40 Centre Street, Suite 414  
New York, New York 10007

Re: Phoenix Bulk Carriers Ltd. v.  
Kremikovitz Trade  
Civil Action No. 05-CV-9559 (VM)

Dear Judge Marrero,

We represent the Plaintiff in the captioned action and write jointly on behalf of our client and the Defendant to request a slight adjustment in the hearing scheduled for February 17, 2006 on Defendant's application for leave to file a motion concerning our attachment. As it turns out, both the undersigned and counsel for the Defendant are unavailable that day, the undersigned traveling and defense counsel being involved as a judge in a moot court competition.

Under these circumstances, would it be possible to shift that hearing to either Wednesday, February 15 or Thursday, February 16, both of which are open for counsel.

We thank the Court for its attention to this request and apologize for any inconvenience it may present.

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February 9, 2006

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Respectfully submitted,  
FREEHILL, HOGAN & MAHAR LLP

  
Peter J. Gutowski

PJG:mjg

cc: Law Offices of Simon Harter, Esq.  
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Fax. No. 212-979-0251

Request GRANTED. The <u>next</u> conference herein is rescheduled to <u>2/16/06</u> at <u>4:30pm</u> .	
SO ORDERED.	
2-16-06	
DATE	VICTOR MARRERO, U.S.D.J.